



**SUFFOLK  
UNIVERSITY**  
LAW SCHOOL

**LEGAL PRACTICE SKILLS PROGRAM**

**Student Handbook**

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Dear Student:

Welcome to Suffolk University Law School and the Legal Practice Skills (“LPS”) Program, a nationally ranked program. Your LPS course will focus on legal writing, research, and analysis. These skills serve as the foundation for your courses in law school and the successful practice of law.

Overall, your LPS professor will teach you skills necessary to analyze a client’s problem, communicate your analysis in writing and orally, and edit your writing to serve the interests of a client. Specifically, you will learn how to read cases critically, research legal issues, write office memoranda, and write legal memoranda in support of or in opposition to trial motions. You will also learn the basics of oral advocacy and present an oral argument. Finally, you will learn how to write under time pressure to help prepare you for the bar exam and legal practice.

A unique aspect of your LPS course is the extensive, individual instruction and numerous assessments you will receive. For example, your LPS professor will provide you with feedback on your assignments, both on an individual basis and in class. Also, each semester, your LPS professor will hold a conference with you to provide individual guidance.

This handbook contains information and rules for your LPS course. The rules and policies are based upon expectations and responsibilities in the legal profession. You must read these rules carefully. If you have any questions regarding the LPS course, you may direct them to me or to your individual LPS professor.

Best wishes to you as you begin your study of the law.

Sincerely,



Kathleen Elliott Vinson  
Professor of Legal Writing  
Director of Legal Writing, Research,  
and Written Advocacy

## TABLE OF CONTENTS

I.	LPS Resources.....	1
	A. Website .....	1
	B. Podcasts and Screencasts.....	1
	C. Twitter .....	1
	D. Blog.....	1
II.	LPS Assessments.....	1
	A. Course Objectives, Learning Outcomes, and Assessments .....	1
	B. Assignments.....	5
	C. Anonymous Grading .....	5
III.	Professional Lawyering.....	5
	A. Attendance .....	5
	B. Professional Courtesy .....	7
	C. Work Quality.....	7
	D. Certificate of Compliance .....	8
IV.	Academic Integrity/Plagiarism.....	8
	A. Rules and Regulations on Academic Integrity.....	8
	B. LPS Rules on Academic Integrity .....	8
	1. Citation to Authority.....	9
	2. Student Collaboration.....	11
	3. Assistance from Others.....	12
	4. Computer Assisted Legal Research.....	13
V.	Late Assignment Policy.....	13
	A. General Policy.....	13
	B. Exceptions.....	13
VI.	Assignment Completion Requirements.....	14
VII.	Written Work Requirements.....	14
	A. Format.....	14
	B. Page Limits .....	14
VIII.	Withdrawal Policy.....	14
IX.	Health Services.....	15
X.	Diversity Statement.....	15
XI.	Accommodations .....	15

## I. LPS Resources

To supplement your learning in your LPS course, review the resources below.

### A. *Website*

For more information about Suffolk's Legal Practice Skills Program review our [website](#).

### B. *Podcasts and Screencasts*

You are encouraged to listen to free LPS Podcasts are available at [podcasts](#). Also, screencasts by librarians and faculty may provide additional instruction. These podcasts and screencasts reinforce what you learn each week in class about writing, analysis, research, and oral advocacy.

### C. *Twitter*

Follow the LPS Faculty @SuffolkLPS on Twitter to supplement the course, with tweets about news, cases, and articles on current events that are relevant to what you are learning in the classroom.

### D. *Blog*

Read the [Legal Writing Matters](#) blog for information and advice regarding issues related to legal writing.

## II. LPS Assessments

### A. *Course Objectives, Learning Outcomes, and Assessments*

In accordance with ABA Standard 302(B), the successful Suffolk University Law School graduate should be able to perform legal analysis

and legal research, problem solve, and communicate effectively in the legal context. The LPS goals and learning objectives are designed to address these law school learning outcomes.

<b><u>COURSE OBJECTIVES</u></b> Upon successful completion of this course, students will know/understand:	<b><u>LEARNING OUTCOMES</u></b> Upon successful completion of this course, students will be able to:	<b><u>ASSESSMENTS</u></b> How students will be assessed on these learning objectives include:
Basic tenets of professionalism	Identify attributes of professional etiquette Apply attributes of professional etiquette Participate in collaborative work Understand role of collaboration in legal practice	Timeliness and quality of assignments Compliance with course rules on professionalism and policies in LPS Handbook Class discussions and exercises Individual conferences Communication with professor Partner briefing Status conference
The U.S. Court system, types of authority, and weight of authority	Recognize difference between federal law and state law Recognize difference between primary and secondary authority Recognize difference between binding and persuasive authority	Research logs Research assessments In-class exercises Objective Memorandum 1 Objective Memorandum 2 Persuasive Memorandum Partner Briefing Oral Argument
How to perform legal research	Draft a research plan Locate applicable law Maintain a research log Read, comprehend, and evaluate applicable law Update applicable law	Research logs Research assessments Research trainings In-class exercises Research exam
What plagiarism is, when to cite, and the steps needed to cite to authorities using correct standards and formatting	Use the <u>ALWD Guide</u> to locate and follow rules on citing sources Properly attribute sources to prevent plagiarism	Objective Memorandum 1 Objective Memorandum 2 Persuasive Memorandum Cite assessments

<p align="center"><b><u>COURSE OBJECTIVES</u></b></p> <p align="center"><b>Upon successful completion of this course, students will know/understand:</b></p>	<p align="center"><b><u>LEARNING OUTCOMES</u></b></p> <p align="center"><b>Upon successful completion of this course, students will be able to:</b></p>	<p align="center"><b><u>ASSESSMENTS</u></b></p> <p align="center"><b>How students will be assessed on these learning objectives include:</b></p>
		<p>Cite exam</p> <p>Research assessments</p> <p>Research logs</p> <p>In-class exercises</p>
<p>The steps needed to prepare a complete objective and persuasive legal analysis using CREAC or a similar paradigm</p>	<p>Identify legal issues in a client's problem</p> <p>Identify critical facts in a client's legal problem</p> <p>Extract critical facts, holding, and reasoning from case law</p> <p>Synthesize a rule</p> <p>Explain and synthesize the law</p> <p>Apply the law, including analogizing and distinguishing cases, both objectively and persuasively</p> <p>Identify counter-arguments</p> <p>Organize by legal issue</p> <p>Outline a memo in CREAC format or similar paradigm</p> <p>Draft a roadmap/thesis paragraph</p> <p>Draft thesis sentences</p> <p>Draft point headings</p> <p>Develop a theory of a case for a persuasive memo</p> <p>Draft objective and persuasive facts</p> <p>Draft an objective legal analysis</p> <p>Draft a complete persuasive memorandum</p> <p>Identify audience and purpose for a piece of legal writing</p>	<p>In-class exercises</p> <p>Rule exercise</p> <p>Objective Memorandum 1</p> <p>Objective Memorandum 2</p> <p>Persuasive Memorandum</p> <p>Outlines</p> <p>Individual conferences</p> <p>Client interview</p> <p>Core Grammar for Lawyers</p> <p>Capstone</p>

<p align="center"><b><u>COURSE OBJECTIVES</u></b></p> <p>Upon successful completion of this course, students will know/understand:</p>	<p align="center"><b><u>LEARNING OUTCOMES</u></b></p> <p>Upon successful completion of this course, students will be able to:</p>	<p align="center"><b><u>ASSESSMENTS</u></b></p> <p>How students will be assessed on these learning objectives include:</p>
	<p>Use appropriate tone for document's intended purpose and audience</p> <p>Comply with formatting requirements</p> <p>Follow basic grammar and punctuation rules</p> <p>Revise, edit, and proofread</p> <p>Incorporate feedback on drafts into rewrite</p>	
<p>Effective communication with an attorney and with a client</p>	<p>Orally present facts, holding, reasoning and relevance of a case to an attorney</p> <p>Orally present application of law to facts to an attorney</p> <p>Draft professional emails</p> <p>Interview a client</p> <p>Use tone that is appropriate for intended audience</p>	<p>In-class exercises</p> <p>Individual conferences</p> <p>Emails with professor</p> <p>Partner briefing</p> <p>Client interview</p> <p>Client correspondence</p> <p>Client meeting</p>
<p>The process of preparing for and presenting an oral argument</p>	<p>Develop a roadmap and theory of the case</p> <p>Orally present a roadmap and theory of the case</p> <p>Articulate reasons that court should find in favor of your client</p> <p>Anticipate questions from the bench</p> <p>Think on one's feet</p> <p>Respond directly to question asked</p> <p>Use appropriate deference when addressing judge</p> <p>Use a persuasive tone</p>	<p>Oral Argument</p> <p>In-class exercises</p> <p>Status Conference</p>

## **B. Assignments**

Students will be evaluated in numerous areas. See the syllabus for a description of the assignments and assignment weights.

Select assignments in this course might be used by Suffolk University for accreditation and institutional assessment purposes and will be handled confidentially.

Professors are available to discuss comments and suggestions made on an assignment. Pursuant to Suffolk University Law School policy, professors will not change a grade.

## **C. Anonymous Grading**

LPS uses anonymous grading on all written graded assessments. Instead of your name, in the header of your memo on every page, put your LPS exam number, LPS section number, LPS Professor's name, and name of the LPS assignment.

# **III. Professional Lawyering**

The Professional Lawyering component of the final LPS grade recognizes that a student's legal career begins when he or she begins law school. Think of yourself not as a student, but as a new lawyer. This component of the LPS grade includes, but is not limited to: attendance, quality of homework assignments and completion of in-class exercises; engagement in class discussions and clicker questions (if applicable); class and conference preparation; proper use of email communication with professors, classmates, and staff; proper use (if permitted) of cell phones and computers during class; compliance with LPS course rules; respectful discussion with professors, staff, and classmates; familiarity with reading assignments; and the quantity and overall quality of a student's contributions to the LPS course.

## **A. Attendance**

Each student is expected to perform all class assignments and to attend class meetings regularly and in a punctual manner. Failure to do so may result in a grade of No Credit, F, probation, suspension, or dismissal. The Law School's student [Attendance Policy](#) is set forth in Section II.B of the Rules and Regulations.



1. Pursuant to [Suffolk University Law School Policies & Rules](#) on attendance, the following table outlines the absence limitations per semester by course credits. Each semester of a course shall have its own applicable absence limitation. Students may not “carry-over” unused absences to increase the applicable absence limitation in the second semester. Sanctions for failing to attend class include requiring the student to withdraw from the course or excluding the student from the course and awarding the student a failing grade.

<b>Credit Hours/Semester</b>	<b>Applicable Absence Limitation/Semester</b>
2-credit course, meets once a week	220 minutes of class, or up to two class meetings
2-credit course, meets twice a week	220 minutes of class, or up to four class meetings
3-credit course, meets once a week	330 minutes of class, or up to two class meetings
3-credit course, meets twice a week	330 minutes of class, or up to four class meetings

2. Students are responsible for obtaining all information and assignments given during missed classes. In the event that the University cancels classes, such as for severe weather, students are expected to continue with readings and assignments as originally scheduled. Any assignments scheduled during those missed classes remain due unless other instructions are posted at the course website or communicated via email.
3. Suffolk University Law School adheres to the definition of “credit hours” established in ABA Standard 310(b), as set forth in Law School Rules & Regulations I(B)(2). See the ABA Standard 310(b)’s credit hour definition:

A “credit hour” is an amount of work that reasonably approximates:

(1) not less than one hour of classroom or direct faculty instruction and two hours of out-of-class student work per week for fifteen weeks, or the equivalent amount of work over a different amount of time: or

(2) at least an equivalent amount of work as required in subparagraph (1) of this definition for other academic activities as established by the institution, including simulation, field

placement, clinical, co-curricular, and other academic work leading to the award of credit hours.

For the fall semester, LPS students should expect to spend no less than 135 hours in an outside of class. For the spring semester, students should expect to spend no less than 90 hours.

It is expected that the work required of students may at times exceed the required minimum number of hours per credit per week, as appropriate to the Law School's standards of academic rigor.

## ***B. Professional Courtesy***

1. Students must act courteously in the classroom. In the classroom, students may not:
  - a. instant message, text, play games, read or send email;
  - b. have their cell phones on; or
  - c. access the Internet, unless specifically instructed to do so.
2. Student must provide advance notice to their LPS professor if they will be late for a class or scheduled appointment, or if they need to miss a class or scheduled appointment. Exceptions may be made for compelling circumstances that hinder a student's ability to provide advance notice.
3. Students must treat others with respect. This includes, but is not limited to, communication with fellow students, faculty members, administrators, librarians, and support staff.
4. Student must use professional email etiquette when emailing their LPS professor.

## ***C. Work Quality***

Students must produce quality work that does not contain spelling, citation, punctuation, or typographical errors.

### ***D. Certificate of Compliance***

Similar to what lawyers often do when they submit a brief to the court, LPS students must complete a Certificate of Compliance with each paper confirming they have followed the rules on Academic Integrity, Plagiarism, format, and page requirements. They also confirm that their assignment consists of their own work, without having given or received aid from others. The Certificate of Compliance is available online. First time online users will need to create an account. [See Suffolk University Law School, Academics, Legal Practice Skills 1L Materials](#).

## **IV. Academic Integrity/Plagiarism**

### ***A. Rules and Regulations on Academic Integrity***

Suffolk University Law School's Rules and Regulations on [Academic Integrity](#), including plagiarism, appear in the Suffolk University Law School Student Handbook. [See Suffolk University Law School, Student Life, Policies, & Rules](#). Academic dishonesty should be reported to the Dean of Students. Cheating on examinations, plagiarism, or improper acknowledgment of sources in assignments, constitute unacceptable academic conduct. Student work may be checked by plagiarism detection software. A student who is suspected of violating this rule will be directed to the Dean of Students, who will arrange a hearing before the Law School's Administrative/Disciplinary Committee to determine if the charges have merit and consider appropriate sanctions. The sanctions may include a grade of "F" in the course, suspension, withdrawal, dismissal from the Law School, or appropriate lesser penalties if warranted by the circumstances.

### ***B. LPS Rules on Academic Integrity***

In addition to the Rules and Regulations on Academic Integrity in the Suffolk University Law School Student Handbook, LPS students are also required to adhere to the following LPS rules with regard to all LPS assignments. A violation of these LPS rules may be considered a violation of Academic Integrity and be viewed as a serious infraction of the Rules and Regulations of the Law School. Students are responsible for asking their LPS professors for guidance if they are in doubt about a particular situation.

## 1. Citation to Authority<sup>1</sup>

To avoid allegations of plagiarism, students must provide proper citation to authority. Citations must conform to the rules set forth in the sixth edition of the ALWD Guide to Legal Citation by Coleen M. Barger.

### Plagiarism Explanations & Examples

plagiarism, *n.* Taking the literary property of another, passing it off as one's own without appropriate attribution, and reaping from its use any benefit from an academic institution.

To help you avoid common mistakes and learn appropriate attribution, consider the explanations and examples based on the following law review excerpt below. Students must apply rules I.B.1.a-f to all submissions.

A “handicap” could be defined by listing certain traditionally-recognized handicapping conditions, or a legislature may choose to provide a more comprehensive list of the types of disabilities that will be considered “handicapping conditions” in that state. These approaches are problematic, however, because they can lead to legislation that does not include certain groups of handicapped people simply because the legislature was not aware of a particular handicap. Maureen O'Connor, Student Author, Defining “Handicap” for Purposes of Employment Discrimination, 30 Ariz. L. Rev. 633, 636 (1988).

- a. Students must place **words directly taken from someone else**, whether written or spoken, in quotation marks.<sup>2</sup> To properly acknowledge the direct use of someone else's words, students must:
  - (1) place quotation marks around the words; and
  - (2) provide a citation.

Example: The term “handicap” may be defined in general terms, or a *legislature may choose to provide a more comprehensive list of the types of disabilities that will be considered ‘handicapping conditions’ in that state.*<sup>\*</sup>

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<sup>1</sup> Materials adapted, in part, from *The Legal Writing Institute*.

<sup>2</sup> When quoting fifty words or more, use block quotes (indent and single-space) rather than quotation marks. See ALWD Guide, rule 38.5(a).

To avoid plagiarism, you need (i) quotation marks around the words printed in italics **and** (ii) a citation at the asterisk.

- b. If a student **changes some of the words** in the phrase or sentence, the student must (i) place the changed words in brackets, (ii) enclose the phrase or sentence in quotation marks, **and** (iii) provide a citation.

Example: The term “handicap” may be defined in general terms, or a legislature may choose to provide a more *inclusive list of the kinds of disabilities that will be considered ‘handicapping conditions’ in that state.* \*

To avoid plagiarism, you need (i) brackets around the underlined words, (ii) quotation marks around the words in italics, **and** (iii) a citation at the asterisk. See below for an example.

Example: The term “handicap” may be defined in general terms, or “a legislature may choose to provide a more [inclusive] list of the [kinds] of disabilities that will be considered ‘handicapping conditions’ in that state.” . Maureen O’Connor, Student Author, Defining “Handicap” for Purposes of Employment Discrimination, 30 Ariz. L. Rev. 633, 636 (1988).

- c. Students must cite when **paraphrasing someone else’s** words. Even if a few words are changed or the order of the original sentence is mixed up, students must provide a citation.

Example: It is problematic to define a handicap by providing a list of the types of disabilities that will be covered because certain groups of handicapped people might be excluded.\* The legislature might simply be unaware of certain handicaps.\*

To avoid plagiarism, you need citations at the asterisks.

- d. Students must cite when **borrowing an idea from someone else**. To avoid plagiarism, students must provide a citation if a sentence expresses an idea that is borrowed from someone else.

Example: The term “handicap” is difficult to define in a statute. Any attempt to provide a complete list of covered

disabilities, however, will be inadequate; some conditions will inevitably be omitted.\*

To avoid plagiarism, you need a citation at the asterisk.

- e. If a student's **analysis or conclusion builds on someone else's ideas**, the student must cite to that person's ideas. Legal writers often build on other sources to arrive at their own analysis or conclusion. Sometimes a source may trigger a related idea. In these instances, a student must include a citation to the original source, with an appropriate signal.

Example: When defining statutory terms, legislators should not attempt to draft a complete list specifying everything the statute is intended to cover. Such lists will inevitably be incomplete; someone will later make a claim that the legislators did not anticipate.\* Further, the statutory list may quickly become outdated.\*

To be a careful legal scholar, you should cite the source at the asterisks.

- f. Students must cite a source when an **idea about a case** came from that source, rather than the case itself.

Example: Assume that the law review excerpt above led you to the following idea about the Arline case: Arline illustrates that it is possible for the statutory definition included in section 504 of the Rehabilitation Act to be construed in such a way as to bring many handicapped individuals within its reach. Sch. Bd. v. Arline, 480 U.S. 273 (1987).\*

To be a careful legal scholar, you should cite at the asterisk not only to the case but also to O'Connor's law review note, including the page number where she discusses Arline, even though you would have read Arline.

## 2. Student Collaboration

While collaboration at the idea stage is encouraged, students may **not** give aid to, or receive aid from, another student. "Giving or receiving aid" includes, without limitation, the following:

- a. working together to outline or write an assignment or any part of an assignment;

- b. copying or reviewing any part of another student's work and handing it in as their own;
- c. dividing up assignments: each student is responsible for answering each question in each assignment; or
- d. reading an assignment or part of an assignment of another student before all students have submitted their assignments.

### 3. Assistance from Others

- a. Students may not seek assistance on LPS assignments from third parties.
  - (1) Third parties include, but are not limited to, family members and friends.
  - (2) Assistance includes, but is not limited to, outlining, reading, writing, or editing assignments.
- b. Students may not review any written product relevant to an LPS assignment unless an LPS professor provides express permission.
- c. Students may receive appropriate assistance from:
  - (1) their LPS professor;
  - (2) their LPS teaching assistant; and
  - (3) an Academic Support Program ("ASP") Professor, if the student's LPS professor has referred them to ASP.
- d. By submitting an assignment for LPS, students **expressly warrants** that they:
  - (1) have not given aid to another student;
  - (2) have not received aid from a third party, other than the LPS professor, an LPS teaching assistant, or an ASP faculty member;
  - (3) have submitted a document consisting exclusively of their own work; and

- (4) have complied with the rules of: the course, the professor, and the law school, including signing a Certificate of Compliance.

#### **4. Computer Assisted Legal Research**

Students will be trained to research online. If an assignment or question requires use of manual research, i.e., in the books, then using computer assisted legal research without express, specific permission is a violation of Academic Integrity and viewed as a serious infraction of the Rules and Regulations of the Law School.

## **V. Late Assignment Policy**

### **A. General Policy**

One of the essential skills of the LPS course and the legal profession is to complete work on time, in an organized, thorough, and professional manner. The LPS Program sanctions late papers. Professors generally give both a day and time deadline. In fairness to all students and based on the expectations and responsibilities of the legal profession, papers even a few minutes late are treated as late. LPS professors will deduct one third grade from an assignment for each twenty-four (24) hour period, or part of a twenty-four (24) hour period that the paper is late, including weekends.

For example, a paper is due at 10:00 a.m. on Tuesday, and the student would have received a B. If the student passes that paper in late (i.e.; the next day, Wednesday at 9:00 a.m.), the LPS professor will deduct one third grade from that student's grade on the paper, and the student will receive a B-.

If an assignment requires a student to upload a document electronically, it is the student's responsibility to upload it to the proper location by the deadline. Failure to upload the document correctly may result in late sanctions. Computer problems may not be a valid justification for late submissions.

### **B. Exceptions**

Professors may accept late papers in limited circumstances. If your situation appears to present excusable, extraordinary circumstances, you should discuss it with Associate Dean of Students Ann Santos



(asantos@suffolk.edu) **before** the deadline. Requests for extensions made after the deadline will generally not be granted unless it is unreasonable to have expected you to contact Dean Santos beforehand.

## VI. Assignment Completion Requirements

Pursuant to Suffolk University Law School's Rules and Regulations on [Academic Standing Requirements](#), students must complete all graded and ungraded assignments as directed by their LPS professor. Failure to complete any LPS assignment may result in an unsatisfactory grade (C- or below) for the course.

If a student receives an unsatisfactory grade on an assignment, the student may be at risk of receiving an unsatisfactory grade for the LPS course. See [Suffolk University Law School, Student-Life, Policies, & Rules](#).

## VII. Written Work Requirements

### A. *Format*

Each page must be typed, double-spaced on 8 ½ x 11 inch white paper with 1.25 inch margins on all sides, left margin justified, in Word format. The type size must be 11 point in Arial font. All pages must be numbered. If turning in a hard copy of an assignment it must be stapled. There may be a grade deduction for not following format directions.

### B. *Page Limits*

Page limits will vary from assignment to assignment. LPS professors will strictly enforce the page limits and will read only material within the page limits. There may be a grade deduction for exceeding the page limit.

## VIII. Withdrawal Policy

All students are expected to complete Legal Practice Skills during their first year, including those who have been approved for a reduced-course load. Pursuant to the [Withdrawal Policy](#), no student may withdraw from Legal Practice Skills unless he or she is withdrawing as part of an overall leave of absence from school. Accordingly, withdrawals due to class absences, failure to complete

assignments on time, or the likelihood of a low final grade in Legal Practice Skills will not be permitted. See [Suffolk University Law School, Student-Life, Policies, & Rules](#).

## IX. Health Services

Difficult personal issues or stress may create barriers to learning. Issues such as strained relationships, increased anxiety, alcohol/drug abuse, feeling down, difficulty concentrating, lack of motivation, or other stressful events may lead to diminished academic performance or may reduce your ability to participate in daily activities. Suffolk University services, such as the [Dean of Students](#) office, the [Academic Support](#) Program, and the University [Counseling, Health, & Wellness Center](#), are available to assist you in addressing these and other concerns you may be experiencing.

## X. Diversity Statement

The expectation in this class is that every student will be treated with respect, regardless of gender, age, ethnicity, religion, nationality, sexual orientations, disability, or gender identification. Although not explicitly themes of this course, issues of diversity and inclusion may arise through class discussions and assigned material. A willingness to explore different views, experiences, and backgrounds enriches the learning experience for each student. Appreciating the opportunities to learn from each other and respecting the uniqueness of your fellow classmates is expected.

## XI. Accommodations

If you anticipate issues related to the format or requirements of this course due to the impact of a disability, it is important that you contact the Law School's [Dean of Students](#) Office for further information and assistance, including information on disability-related accommodations.